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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/529,184	04/07/2000	Mark Jacob Ebling	RCA 88759	1451

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EXAMINER	
VU, NGOC K	
ART UNIT	**PAPER NUMBER**
2611	

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/529,184	EBLING ET AL.	
	Examiner	Art Unit	
	Ngoc K. Vu	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 May 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *19-21 and 49-57* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *19-21 and 49-57* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Response to Arguments

1. In view of the appeal brief filed on 5/18/05, PROSECUTION IS HEREBY REOPENED. The detailed action is set forth below.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 19-21, 51, 52-54 and 56 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 19 is indefinite because there is no antecedent basis for the limitation "said multimedia object description information" in lines 7-8.

Claim 51 is indefinite because there is no antecedent basis for the limitation "the program specific information" in lines 1-2.

Claim 52 is indefinite because there is no antecedent basis for the limitation "said first source" in line 3.

Claim 56 is indefinite because there is no antecedent basis for the limitation "said multimedia object description information" in line 2.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 19-21, 49-53 and 55-57 are rejected under 35 U.S.C. 102(e) as being anticipated by Shiga et al. (U.S. 6,005,562 A).

Regarding claim 19, Shiga teaches a method for decoding packetized program information (decoder 2 receives and decodes the packetized program information – see col. 20-21, lines 60-15) to provide data content of a program (figures 20-21 and 23), comprising the steps of:

identifying ancillary information (EPG data) in said packetized program information, said ancillary information including a plurality of partition tables (SDT, TDT, PMT) having program specific data partitioned therein, a control table (EIT) for acquiring and re-assembling the portioned program specific data disposed in the plurality of partition tables (i.e., last_table_id(1) to identify the table_id – see col. 13, lines 54 to col. 16, line 18), and information describing a multimedia image object associated with an image in said packetized program information (see figure 16), said multimedia object description information comprising,

a location indicator (descriptor_tag) identifying a location of a multimedia object (image) for use in acquiring said multimedia object (see figure 16), and

a type indicator (format_identifier) identifying a multimedia object type for use in decoding said multimedia object (i.e., black/white binary image, black/white 256-step image, RGB 8-bit image or JPEG-compressed image – see figure 16);

forming a program guide for display, using the tables (col. 5, lines 6-9; col. 5-6, lines 62-6; col. 12, line 30 to col. 15, line 45 and figures 7-9);

acquiring and decoding said multimedia object (via decoder 2) using said multimedia object description information (see col. 14, lines 39-55); and

formatting said multimedia object for display (as shown in the figure 7).

Regarding claim 20, Shiga teaches associating said multimedia object with video image (see col. 5, lines 6-11).

Regarding claim 21, Shiga teaches forming a composite image for display combing said multimedia object and an electronic program guide (see figures 7-10 and col. 9, lines 10-23).

Regarding claim 49, Shiga teaches a method for providing packetized program information to provide data content of a program (see figures 1-2), comprising the steps of:

portioning program specific data into a plurality of partition tables (SDT, TDT, PMT);

generating a control table (EIT) for acquiring and re-assembling the portioned program specific data disposed in the plurality of partition tables (i.e., last_table_id(1) to identify the table_id – see col. 13, lines 54 to col. 16, line 18),

incorporating, into any of tables, a location indicator (descriptor_tag) identifying a location of a multimedia object (image), and a type indicator (format_identifier) identifying a multimedia object type for use in decoding said multimedia object (i.e., black/white binary image, black/white 256-step image, RGB 8-bit image or JPEG-compressed image – see figure 16);

transmitting the plurality of tables and control table in packets (see col. 20, line 60 to col. 21, line 11; col. 6, lines 28-40) for subsequent use in forming a program guide that references the multimedia object and in acquiring and decoding said multimedia object using at least the location indicator and the type indicator (see col. 14, lines 39-55; col. 5, lines 6-9; col. 5-6, lines 62-6; col. 12, line 30 to col. 15, line 45 and figures 7-9).

Regarding claim 50, Shiga teaches formatting the plurality of tables and the control table according to protocol (EPG data, as well as other types of accessory data, is transmitted in a Direct Video Broadcast System as service information), in preparation of said transmitting step (see col. 12, lines 30-36; col. 6, lines 36-53).

Regarding claim 51, Shiga teaches that the program specific information comprises network types (see col. 13, lines 9-15).

Regarding claim 52, Shiga teaches that said location indicator is capable of identifying a location of said multimedia object in said packetized program information from first source (the original network ID for identifying the network which serves as the source of the delivery system – see col. 13, lines 15-20).

Regarding claim 53, Shiga teaches that said location indicator is capable of identifying a location of said multimedia object derived from said first source using an MPEG compatible packet identifier PID (it is noted that the image is transmitted as transport stream including PID wherein PID represents packet id – see figure 18).

Regarding claim 55, Shiga teaches that said multimedia object type comprises still image (see figure 16).

Regarding claim 56, Shiga teaches that said multimedia object description information includes an object start time (see col. 12, lines 46-50).

Regarding claim 57, Shiga teaches formatting comprises the step of associating said multimedia object with video image and said formatting means forms a composite image for display combing said multimedia object and an electronic program guide (see figures 7-10 and col. 9, lines 10-23).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 54 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shiga et al. (US 6,005,562 A) in view of Maa (US 5,818,935 A).

Regarding claim 54, Shiga does not teach location indicator for identifying a location of multimedia object derived from second source using an Internet URL. However, Maa teaches that an Internet information pointer encoded in a video signal such that the receiver adapted to extract the Internet information pointer from the video signal and access the Internet based on the extracted Internet information pointer. Particularly, pointer is capable of identifying a location of Internet/web content derived from source, i.e., web site, using URL 62 (see abstract and figure 2). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Shiga by including location indicator for identifying a location of Internet/web content derived from a source, i.e., web site, using an Internet URL as taught by Maa in order to access Internet/web site without requiring the viewer to type in the URL.

Conclusion

7. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

Certificate of Mailing

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Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc K. Vu whose telephone number is 571-272-7306. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on 571-272-7294. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ngoc K. Vu
Primary Examiner
Art Unit 2611

August 8, 2005